

Department of Community Planning and Economic Development
Variance
BZZ 6388

Date: January 23, 2014

Applicant: Robert Close and Cynthia Peltier

Address of Property: 3520 Franklin Avenue West

Contact Person and Phone: Robert Close, 651.600.9538

CPED Staff and Phone: Andrew Liska, 612.673.2264

Date Application Deemed Complete: December 13, 2013

End of 60-Day Decision Period: February 11, 2014

End of 120-Day Decision Period: April 15, 2014 (Letter mailed to applicant on January 14, 2014)

Ward: 7 Neighborhood Organization: Bryn Mawr Neighborhood Association

Existing Zoning: R1 Single-Family District

Existing Overlay District: SH Shoreland Overlay District

Zoning Plate Number: 17

Proposed Use: A new single-family dwelling with attached garage

Variance: 1. for development within 40 feet of the top of a steep slope and 2. To reduce the required front yard setback from 25 feet to 17 feet for the front building wall to allow for the construction of a new single-family dwelling.

Zoning code section authorizing the requested variance: Chapter 525, Article IX Variances, Specifically Section 525.520(17) “to permit development in the SH Shoreland Overlay District...within forty (40) feet of the top of a steep slope or bluff” and (1) “to vary the yard requirements, including permitted obstructions into required yards not allowed by the applicable regulations”.

Chapter 525, Article IX Variances, Specifically Section 525.520(1) “to vary the yard requirements, including permitted obstructions into required yards not allowed by the applicable regulations.”

Continuance: The subject property is approximately 82 feet by 100 feet (8,200 square feet) and is occupied by a two story single-family dwelling constructed in 1918. The structure has an attached side-loading garage that is accessed from the alley along the eastern property line.

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The adjacent structure to the west is located on the front property line and the adjacent structure to the east is setback approximately 30 feet. The required front yard for the R1 zoning district is either a line connecting adjacent structures or 25 feet, whichever is greater. In this instance, the required front yard setback is 25 feet. The existing structure is setback approximately 9 feet. The applicants are requesting a variance to the front yard setback and have proposed the new single-family dwelling be setback 17 feet.

Upon reviewing the plans for the single-family dwelling, staff determined that the proposed structure did not meet the minimum design standards in Chapter 530 of the zoning code and could not be approved as submitted. The applicants and architect have been contacted and are working to revise plans to bring the proposed dwelling into complete compliance before bringing forth the variances required to build on this parcel.

Recommendation of the Department of Community Planning and Economic Development:

The Department of Community Planning and Economic Development recommends that the Board of Adjustment adopt staff findings and **continue** the variance application for development within 40 feet of the top of a steep slope to allow for the construction of a new single-family dwelling located at 3520 Franklin Avenue West in the R1 Single-Family District and SH Shoreland Overlay District one-cycle to the next Board of Adjustment meeting scheduled for February 6, 2014.

The Department of Community Planning and Economic Development recommends that the Board of Adjustment adopt staff findings and **continue** the variance application to reduce the required front yard setback along Franklin Avenue West from 25 feet to 17 feet to allow for the construction of a new single-family dwelling located at 3520 Franklin Avenue West in the R1 Single-Family District and SH Shoreland Overlay District one-cycle to the next Board of Adjustment meeting scheduled for February 6, 2014.

Attachments:

1. Zoning map